

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

Katherine S.,

No. 3:21-cv-00334-HZ

Plaintiff,

ORDER

v.

COMMISSIONER, SOCIAL
SECURITY ADMINISTRATION,

Defendant.

HERNÁNDEZ, District Judge:

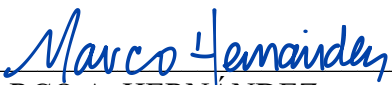
Plaintiff Katherine S. brought this action seeking review of the Commissioner's final decision to deny Supplemental Security Income and Disability Insurance Benefits. On March 24, 2022, pursuant to the parties' stipulated motion, the Court reversed the Commissioner's decision and ordered that the case be remanded for additional proceedings. Order, ECF 22. Judgment was entered on June 21, 2022. ECF 26. Plaintiff's counsel received notice of Plaintiff's award for benefits within 60 days of filing the present Motion. Pl. Mot. 1, ECF 28.

Plaintiff now seeks an award of fees of \$8,482.24 pursuant to 42 U.S.C. § 406(b). Pl. Mot. Defendant has no objection to the amount requested. Def. Resp., ECF 29. The Court has reviewed the record in the case, the motion, and the supporting materials including the award of benefits, the fee agreement with counsel, and the recitation of counsel's hours and services. Applying the standards set by *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002), the Court finds the requested fees reasonable.

The Court GRANTS the motion [28] and awards Plaintiff's counsel \$8,482.24 in attorney's fees under 42 U.S.C. § 406(b). When issuing the section 406(b) check for payment to Plaintiff's attorney, the Commissioner is directed to subtract the amount previously received under EAJA (\$4,133.26) and send Plaintiff's attorney the balance of \$4,348.98 less any applicable processing fees as allowed by statute. Any amount withheld after all administrative and court attorney's fees are paid should be released to Plaintiff.

IT IS SO ORDERED.

DATED: January 25, 2024.



MARCO A. HERNÁNDEZ
United States District Judge